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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 Dilip Mahadeo Wad,) No. CV 08-2341-PHX-JAT

10 Petitioner,) **ORDER**

11 vs.)

12 Katrina Kane,)

13 Respondent.)

14)
15 _____)

16 Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus
17 ("Petition") (Doc. #1). The Magistrate Judge issued a Report and Recommendation ("R&R")
18 (Doc. #20) recommending that the Petition be denied as moot.

19 Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts
20 the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not
21 required to conduct "any review at all . . . of any issue that is not the subject of an objection"
22 (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en
banc*) ("statute makes it clear that the district judge must review the magistrate judge's
23 findings and recommendations *de novo if objection is made*, but not otherwise" (emphasis
24 in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

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26 Accordingly,

27 **IT IS THEREFORE ORDERED** that the Magistrate Judge's Report and
28 Recommendation (Doc. #20) is **ACCEPTED**;

1 **IT IS FURTHER ORDERED** that Petitioner's Petition for Writ of Habeas Corpus
2 (Doc. #1) is **DENIED AND DISMISSED AS MOOT, WITHOUT PREJUDICE.**

3 DATED this 20th day of August, 2009.

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6 James A. Teilborg
7 United States District Judge

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